

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 23-20454-CR-BECERRA

UNITED STATES OF AMERICA

v.

ALDO NESTOR MARCHENA,

Defendant.

/

PROTECTIVE ORDER REGULATING DISCLOSURE OF CERTAIN DISCOVERY

The United States of America (the “United States”), having filed an unopposed motion for a protective order regulating the disclosure of certain discovery to defense counsel in connection with pre-indictment negotiations and the United States’ discovery obligations, and the Court finding good cause therefore:

IT IS HEREBY ORDERED that the United States is authorized to disclose personally identifiable and sensitive information in its possession that the United States believes necessary to facilitate pre-indictment negotiations and comply with the discovery obligations imposed by this Court;

IT IS FURTHER ORDERED that the United States shall designate that portion of the discovery that includes personally identifiable and sensitive information as “Confidential”;

IT IS FURTHER ORDERED that counsel of record for the defendant shall hold the Confidential portion of the discovery in strictest confidence. Therefore, defense counsel shall restrict access to this discovery, and shall disclose this discovery to his/her client, office staff, investigators, and to anticipated fact or expert witnesses only to the extent that defense counsel

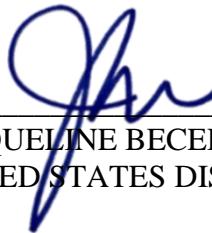
reasonably believes is necessary to assist in the defense of the client in this matter and in a manner that will prohibit the disclosure of this discovery to other persons not involved in the defense;

IT IS FURTHER ORDERED that counsel of record for each defendant shall advise any person to whom the Confidential portion of the discovery is disclosed that such information shall be held in strictest confidence, and that further disclosure or dissemination is prohibited without defense counsel's express written consent;

IT IS FURTHER ORDERED that counsel of record for the defendant shall obtain a certification from each person to whom the Confidential portion of the discovery is disclosed, excluding members of the attorney's office staff, in which the recipient, (a) acknowledges these restrictions as set forth in this Order of the Court, and (b) agrees that they will not disclose or disseminate the information without the express written consent of defense counsel. Counsel shall keep a copy of each certification to identify the individuals who received the Confidential portion of the discovery and the date on which such information was first disclosed; and

IT IS FURTHER ORDERED that counsel of record for the defendant agrees that, upon conclusion of the above captioned case,¹ copies of the Confidential portion of the discovery disclosed to defense counsel pursuant to the terms of this order shall be destroyed or returned to the United States.

DONE AND ORDERED in chambers at Miami, Florida, this 22nd day of July, 2024.



JACQUELINE BECERRA
UNITED STATES DISTRICT JUDGE

¹ This shall mean the period at the conclusion of any appellate and Section 2255 proceedings; if any, or upon expiration of the deadline for filing appellate or Section 2255 proceedings.